

Fabian Zazueta, #032687
Tyler Garrett Respondek, #035465
ZAZUETA LAW, PLLC
2633 E. Indian School Rd., Ste. 370
Phoenix, AZ 85016
Office: (480) 761-4020
Fabian@zazuetafirm.com
Garrett@zazuetafirm.com
Attorneys for Defendants/Third-Party Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Mindy Zommick,

Plaintiff,

v.

Lewis Construction Company LLC, an
Arizona limited liability company; Chad
Lewis and Jane Doe Lewis, husband and
wife; and Brandin Lewis and Jane Doe
Lewis II, husband and wife,

Defendants.

Case No.: CV-23-00636-PHX-DJH

**APPLICATION TO WITHDRAW
WITHOUT CLIENT CONSENT**

(Assigned to the Hon.
Diane J. Humetewa)

Pursuant to LRCiv. 83.3(b)(1) and E.R. 1.16(b) of the Arizona Rules of Professional Conduct, Fabian Zazueta, Esq and Garrett Respondek, Esq., and the law firm of Zazueta Law, PLLC, (firm and attorneys collectively, “Firm”), hereby apply for a formal order allowing for the withdrawal of the Firm as counsel of record for Defendant Brandin Lewis and Lewis Construction Company, LLC. For the Court’s convenience, this Application is accompanied by a proposed order.

Good cause exists to withdraw as counsel of record. Namely, a significant breakdown in the attorney-client relationship has arisen and will continue if the Firm remains as counsel of record, and a material frustration of the purpose of the representation will continue should the Application not be granted. Furthermore, the Firm’s continued representation will continue to result in an unreasonable financial burden on the Firm,

1 further demonstrating the good cause to withdraw at this juncture. In the interests of
2 preserving Brandin Lewis' and Lewis Construction Company, LLC's confidential and
3 privileged information, substantive details regarding the Application cannot be provided.
4 If the Court desires additional details regarding the present motion, undersigned counsel
5 can file an *ex parte* affidavit under seal with additional explanation. *See generally Decker*
6 *v. Zonic*, No. CV-23-08077-PCT-DWL, 2023 WL 7002678 (D. Ariz., October 24, 2023)

7 All future pleadings and correspondences should be directed to:

8 Brandin Lewis
9 19032 N. 34th Dr.
Phoenix, AZ 85027

10 Lewis Construction Company, LLC
11 c/o Chad Lewis
12 19032 N. 34th Dr.
Phoenix, AZ 85027

13
14
15 **RESPECTFULLY SUBMITTED** this 3rd day of May 2024.

16 **ZAZUETA LAW, PLLC**

17 /s/Fabian Zazueta

18 Fabian Zazueta, Esq.
19 Garrett Respondek, Esq.
20 2633 E. Indian School Rd., Ste 370
Phoenix, AZ 85016

21 fabian@zazuetafirm.com

22 garrett@zazuetafirm.com

23 *Attorneys for Defendants/Third-Party Plaintiff*
24
25
26

LRCiv 83.3(b)(2) Certificate

Counsel for Brandin Lewis and Lewis Construction Company, LLC hereby certifies, pursuant to LRCiv.83.3(b)(2), that Brandin Lewis and Lewis Construction Company, LLC have been notified in writing of the status of the case including the dates and times of any court hearings or trial settings, pending compliance with any existing court orders and the possibility of sanctions.



CERTIFICATE OF SERVICE

I hereby certify that on May 3, 2024 I electronically submitted the attached document to the Clerk's office using EMF/ECF system for filing and electronically served the same to the following recipient:

Clifford P. Bendau, Esq.
Christopher J. Bendau, Esq.
BENDAU & BENDAU, PLLC
P.O. Box 97066
Phoenix, AZ 85060
cliffordbendau@bendaulaw.com
chris@bendaulaw.com

/s/ Ricardo Fragoso